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SHEET 1 of 12

Form PTO-1449 (Modified)

U.S. Department of Commerce  
 Patent and Trademark Office

Atty. Docket No.  
 27373/36638A

Serial No.  
 09/964,042

Applicant  
 Weichselbaum, R. et al.

Filing Date  
 September 26, 2001

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# INFORMATION DISCLOSURE STATEMENT

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## U.S. PATENT DOCUMENTS

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*Examiner Initials	Document Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
	A1	4,769,331	09/06/88	Roizman et al.	435	69.1
	A2	4,859,587	08/22/89	Roizman	435	68
	A3	4,999,296	03/21/91	Kit et al.	435	69.1
	A4	5,068,192	11/26/91	Cochran	435	235.1
	A5	5,288,641	02/22/94	Roizman	435	320.1
	A6	5,328,688	07/12/94	Roizman	424	205.1
	A7	5,360,893	11/94	Owens et al.	530	350
	A8	5,585,096	12/17/96	Martuza et al.	424	93.2
	A9	5,593,879	01/97	Stellar et al.	435	240.1

## FOREIGN PATENT DOCUMENTS

*Examiner Initials	Document Number	Publication Date	Country	Class	Subclass	Translation	
						Yes	No
	B1	EP 453242	10/23/91	EPO			
	B2	EP 243155	10/28/87	EPO			
	B3	WO 92/04050	03/19/92	PCT			
	B4	WO 96/00007	01/04/96	PCT			
	B5	WO 97/26904	07/31/97	PCT			

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## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	C1	Aas <i>et al.</i> , "Specific P53 mutations are associated with <i>de novo</i> resistance to doxorubicin in breast cancer patients," <i>Nature Medicine</i> , 2(7): 811-814 (1996).
	C2	Ackermann <i>et al.</i> , "Identification by Antibody to a Synthetic Peptide of a Protein Specified by a Diploid Gene Located in the Terminal Repeats of the L Component of Herpes Simplex Virus Genome", <i>J. Virol.</i> , 58(3):843-850 (1986).
	C3	Ackermann <i>et al.</i> , "Characterization of Herpes Simplex Virus 1 $\alpha$ Proteins 0, 4, and 27 with Monoclonal Antibodies," <i>J. Virology</i> , 52(1):108-118 (1984).
	C4	Advani, S.J. <i>et al.</i> "Enhancement of Replication of Genetically Engineered Herpes Simplex Viruses by Ionizing Radiation: A New Paradigm for Destruction of Therapeutically Intractable Tumors," <i>Gene Therapy</i> , 5:160-165 (1998).
	C5	Andreansky <i>et al.</i> , "Evaluation of Genetically Engineered Herpes Simplex Viruses as Oncolytic Agents for Human Malignant Brain Tumors," <i>Cancer Research</i> , 57:1502-1509 (1997).
	C6	Andreansky <i>et al.</i> , "Treatment of intracranial gliomas in immunocompetent mice using herpes simplex viruses that express murine interleukins," <i>Gene Therapy</i> , 5(1):121-130 (1998).
	C7	Barinaga, M., "Cell Suicide: By ICE, Not Fire", <i>Science</i> , 263:754-756 (1994).
	C8	Batistatou, A. <i>et al.</i> , "Aurintricarboxylic Acid Rescues PC12 Cells and Sympathetic Neurons from Cell Death Caused by Nerve Growth Factor Deprivation: Correlation with Suppression of Endonuclease Activity", <i>J. Cell Biol.</i> , 115(2):461-471 (1991).
	C9	Bischoff, J.R. <i>et al.</i> , "An Adenovirus Mutant That Replicates Selectively in p53-Deficient Human Tumor Cells," <i>Science</i> , 274: 373-376 (October, 1996).
	C10	Braun <i>et al.</i> , "Application of Denatured, Electrophoretically Separated, and Immobilized Lysates of Herpes Simplex Virus-Infected Cells for Detection of Monoclonal Antibodies and for Studies of the Properties of Viral Proteins," <i>J. Virol.</i> , 46:103-112 (1983).

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## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

9	C11	Brown <i>et al.</i> , "Genetic Studies with Herpes Simplex Virus Type 1. The Isolation of Temperature-sensitive Mutants, their Arrangement into Complementation Groups and Recombination Analysis Leading to a Linkage Map," <i>J. Gen. Virol.</i> , 18:329-346 (1973).
	C12	Brown, D. "Gene Therapy 'Oversold' By Researchers, Journalists", <i>The Washington Post</i> , A22, Friday, December 8, 1995
	C13	Centifanto-Fitzgerald <i>et al.</i> , "Ocular Disease Pattern Induced By Herpes Simplex Virus is Genetically Determined By A Specific Region of Viral DNA", <i>J. Exp. Med.</i> , 155:475-489 (1982).
	C14	Chambers <i>et al.</i> , "Comparison of genetically engineered herpes simplex viruses for the treatment of brain tumors in a <i>scid</i> mouse model of human malignant glioma", <i>Proc. Natl. Acad. Sci., USA</i> , 92:1411-1415 (1995).
	C15	Chou and Roizman, "Herpes Simplex Virus 1 (HSV-1) Gene $\gamma_1$ 34.5 Blocks the Neuroblastoma Cells from Cell Death (Apoptosis) Induced by Viral Infection," <i>J. Cell. Biochem.</i> , Keystone Symposia, Supplement 10C, February 21-March 7, 1992, Abstract N303, p. 136.
	C16	Chou <i>et al.</i> , "Association of a $M_r$ 90,000 phosphoprotein with protein kinase PKR in cells exhibiting enhanced phosphorylation of translation initiation factor eIF-2 $\alpha$ and premature shutoff of protein synthesis after infection with $\gamma_1$ 34.5' mutants of herpes simplex virus 1," <i>Proc. Natl. Acad. Sci. (USA)</i> 92:10516-10520 (1995).
	C17	Chou <i>et al.</i> , "Isomerization of Herpes Simplex Virus 1 Genome: Identification of the <i>cis</i> -Acting and Recombination Sites within the Domain of the $\alpha$ Sequence", <i>Cell</i> , 41:803-811 (1985).
	C18	Chou <i>et al.</i> , "The $\gamma_1$ 34.5 gene of herpes simplex virus 1 precludes neuroblastoma cells from triggering total shutoff of protein synthesis characteristic of programmed cell death in neuronal cells," <i>Proc. Natl. Acad. Sci. (USA)</i> 89:3266-3270 (1992).
J	C19	Chou <i>et al.</i> , "The Herpes Simplex Virus 1 Gene for ICP34.5, Which Maps in Inverted Repeats, Is Conserved in Several Limited-Passage Isolates but Not in Strain 17syn+", <i>J. Virol.</i> , 64(3):1014-1020 (1990).

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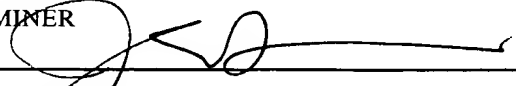
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OTHER DOCUMENTS (1600/2900) (Author, Title, Date, Pertinent Pages, etc.)		
9	C20	Chou <i>et al.</i> , "The Terminal $\alpha$ Sequence of the Herpes Simplex Virus Genome Contains the Promoter of a Gene Located in the Repeat Sequences of the L Component", <i>J. Virol.</i> , 57(2):629-637 (1986).
	C21	Chou, J. <i>et al.</i> , "Mapping of Herpes Simplex Virus-1 Neurovirulence to $\gamma_134.5$ , a Gene Nonessential for Growth in Culture," <i>Science</i> , 250:1262-1266 (November, 1990).
	C22	Clem <i>et al.</i> , "Prevention of Apoptosis by a Baculovirus Gene During Infection of Insect Cells," <i>Science</i> , 254:1388-1399 (1991).
	C23	Coghlan, A., "Gene dream fades away", <i>New Scientist</i> , pp. 14-15 (November, 1995).
	C24	Corey <i>et al.</i> , "Infections with Herpes Simplex Viruses," <i>New England J. Medicine</i> , 314:686-691 (1986).
	C25	Culver, K.W. <i>et al.</i> , "In Vivo Gene Transfer with Retroviral Vector-Producer Cells for Treatment of Experimental Brain Tumors," <i>Science</i> , 256:1550-1552 (June, 1992).
	C26	Datta <i>et al.</i> , "Overexpression of Bcl-x <sub>L</sub> by Cytotoxic Drug Exposure Confers Resistance to Ionizing Radiation-induced Internucleosomal DNA Fragmentation," <i>Cell Growth &amp; Differentiation</i> , 6:363-370 (April, 1995).
	C27	Davidson <i>et al.</i> , "Location and Orientation of Homologous Sequences in the Genomes of Five Herpes Viruses," <i>J. Gen. Virol.</i> , 64:1972-1942 (1983).
	C28	Deiss <i>et al.</i> , "Functional Domains within the $\alpha$ Sequence Involved in the Cleavage-Packaging of Herpes Simplex Virus DNA", <i>J. Virol.</i> , 59:605-618 (1986).
	C29	DeLuca <i>et al.</i> , "Isolation and Characterization of Deletion Mutants of Herpes Simplex Virus Type 1 in the Gene Encoding Immediate-Early Regulatory Protein ICP4," <i>J. Virology</i> , 56(2):558-570 (1985).
	C30	Dolan <i>et al.</i> , "Status of the ICP34.5 gene in herpes simplex virus type 1 strain 17," <i>Journal General Virology</i> , 73(4):971-973 (1992).


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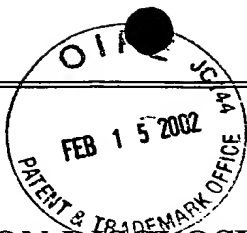
FEB 27 2002

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	C31	Ejercito <i>et al.</i> , "Characterization of Herpes Simplex Virus Strains Differing in their Effects on Social Behaviour of Infected Cells", <i>J. Gen. Virol.</i> , 2:357-364 (1968).
	C32	Field <i>et al.</i> , "The pathogenicity of thymidine kinase-deficient mutants of herpes simplex virus in mice", <i>J. Hyg., Camb.</i> , 81:267-277 (1978).
	C33	Gagliardini <i>et al.</i> , "Prevention of Vertebrate Neuronal Death by the <i>crmA</i> Gene", <i>Science</i> , 263:826-828 (1994).
	C34	Gregory <i>et al.</i> , "Activation of Epstein-Barr Virus Latent Genes Protects Human B Cells From Death by Apoptosis," <i>Nature</i> , 349:612-614 (1991).
	C35	Hallahan, <i>et al.</i> "Spatial and temporal control of gene therapy using ionizing radiation," <i>Nature Medicine</i> , 1(8):786-791 (1995).
	C36	Hammer <i>et al.</i> , "Temporal Cluster of Herpes Simplex Encephalitis: Investigation by Restriction Endonuclease Cleavage of Viral DNA", <i>J. Infectious Diseases</i> , 141(4):436-440 (1980).
	C37	Hayward <i>et al.</i> , "Anatomy of herpes simplex virus DNA: Evidence for four populations of molecules that differ in the relative orientations of their long and short components", <i>Proc. Natl. Acad. Sci., USA</i> , 72(11):4243-4247 (1975).
	C38	Heise <i>et al.</i> , "ONYX-015, an E1B gene-attenuated adenovirus, causes tumor-specific cytolysis and antitumoral efficacy that can be augmented by standard chemotherapeutic agents," <i>Nature Medicine</i> , 3(6):639-645 (1997).
	C39	Henderson, S., "Induction of <i>bcl-2</i> Expression by Epstein Barr Virus Latent Membrane Protein 1 Protects Infected B Cells from Programmed Cell Death," <i>Cell</i> , 65:1107-1115 (1991).
	C40	Hollstein, M. <i>et al.</i> , "p53 Mutations in Human Cancers," <i>Science</i> , 253: 49-53 (July, 1991).
	C41	Honess <i>et al.</i> , "Proteins Specified by Herpes Simplex Virus XI. Identification and Relative Molar Rates of Synthesis of Structural and Nonstructural Herpes Virus Polypeptides in the Infected Cell", <i>J. Virol.</i> , 12:1347-1365 (1973).

EXAMINER 	DATE CONSIDERED 10-2-02
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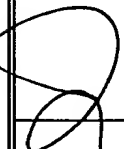

9	C42	Houldsworth <i>et al.</i> , "Human male germ cell tumor resistance to cisplatin is linked to TP53 gene mutation," <i>Oncogene</i> , 16:2345-2349 (1998).
	C43	Hubenthal-Voss <i>et al.</i> , "Mapping of Functional and Antigenic Domains of the $\alpha 4$ Protein of Herpes Simplex Virus 1", <i>J. Virol.</i> , 62:454-462 (1988).
	C44	Itoh <i>et al.</i> , "The Polypeptide Encoded by the cDNA for Human Cell Surface Antigen Fas Can Mediate Apoptosis," <i>Cell</i> , 66:233-243 (1991).
	C45	Javier <i>et al.</i> , "Genetic and Biological Analyses of a Herpes Simplex Virus Intertypic Recombinant Reduced Specifically for Neurovirulence", <i>J. Virol.</i> , 61(6):1978-1984 (1987).
	C46	Johnson <i>et al.</i> , "Why Do Neurons Die When Deprived of Trophic Factor?" <i>Neurobiology of Aging</i> , 10:549-552 (1989).
	C47	Katz <i>et al.</i> , "Quantitative Polymerase Chain Reaction Analysis of Herpes Simplex Virus DNA in Ganglia of Mice Infected with Replication-Incompetent Mutants," <i>J. Virology</i> , 64(9):4288-4295 (1990).
	C48	Kauffman <i>et al.</i> , "Pathogenesis of Viral Infections," in <i>Fundamental Virology</i> , Fields <i>et al.</i> (Eds.), Chapter 10, Raven Press, New York, pp.153-167 (1986).
	C49	Kehm <i>et al.</i> , "Restitution of the UL56 gene expression of HSV-1 HFEM led to restoration of virulent phenotype; deletion of the amino acids 217 to 234 of the UL56 protein abrogates the virulent phenotype," <i>Virus Research</i> , 40:17-40 (1996).
	C50	Kieff <i>et al.</i> , "Size, Composition, and Structure of the Deoxyribonucleic Acid of Herpes Simplex Virus Subtypes 1 and 2", <i>J. Virol.</i> , 8:125-132 (1971).
	C51	Kyte <i>et al.</i> , "A Simple Method for Displaying the Hydropathic Character of a Protein," <i>J. Mol. Biol.</i> , 157:105-132 (1982).
8	C52	Larder <i>et al.</i> , "Restoration of Wild-type Pathogenicity to an Attenuated DNA Polymerase Mutant of Herpes Simplex Virus Type 1", <i>J. Gen. Virol.</i> , 67:2501-2506 (1986).

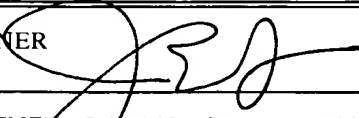
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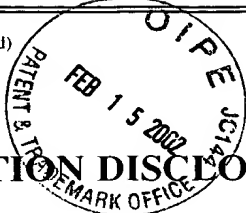
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	C53	Linnemann <i>et al.</i> , "Transmission of Herpes-Simplex Virus Type 1 in a Nursery for The Newborn Identification of Viral Isolates By D.N.A. "Fingerprinting" ", <i>Lancet</i> , 1:964-966 (1978).
	C54	Loo <i>et al.</i> , "Serial Passage of Embryonic Human Astrocytes in Serum-Free, Hormone-Supplemented Medium," <i>J. Neuroscience Research</i> , 28:101-109 (1991).
	C55	Lord <i>et al.</i> , "Sequence of MyD116 cDNA: A novel myeloid differentiation primary response gene induced by IL6," <i>Nucleic Acid Research</i> , 18(9):2823 (1990).
	C56	Lowe, S.W. <i>et al.</i> , "p53 Status and the Efficiency of Cancer Therapy in Vivo," <i>Science</i> , 266:807-810 (November, 1994).
	C57	Mackem <i>et al.</i> , "Structural Features of the Herpes Simplex Virus $\alpha$ Gene 4, 0, and 27 Promoter-Regulatory Sequences Which Confer $\alpha$ Regulation on Chimeric Thymidine Kinase Genes," <i>J. Virology</i> , 44(3):939-949 (1982).
	C58	Maclean <i>et al.</i> , "Herpes simplex virus type 1 deletion variants 1714 and 1716 pinpoint neurovirulence-related sequences in Glasgow strain 17 <sup>+</sup> between immediate early gene 1 and the 'a' sequence", <i>Journal of General Virology</i> , 72(3):631-639 (1991).
	C59	MacLean <i>et al.</i> , "The R <sub>L</sub> neurovirulence locus in herpes simplex virus type 2 strain HG52 plays no role in latency", <i>J. Gen. Virol.</i> , 72:2305-2310 (1991).
	C60	Martuza, R.L. <i>et al.</i> , "Experimental Therapy of Human Glioma by Means of a Genetically Engineered Virus Mutant," <i>Science</i> , 252:854-856 (May, 1991).
	C61	McGeoch <i>et al.</i> , "Complete DNA sequence of the short repeat region in the genome of herpes simplex virus type 1", <i>Nucleic Acids Research</i> , 14:1727-1745 (1986).
	C62	McGeoch <i>et al.</i> , "The Complete DNA Sequence of the Long Unique Region in the Genome of Herpes Simplex Virus Type 1", <i>J. Gen. Virol.</i> , 64:1531-1574 (1988).

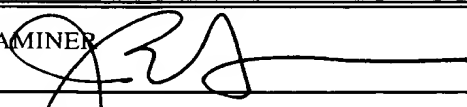
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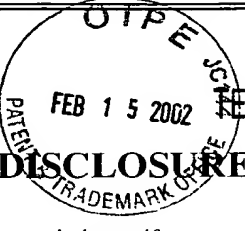
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	C63	McGoech <i>et al.</i> , "Comparative sequence analysis of the long repeat regions and adjoining parts of the long unique regions in the genomes of herpes simplex viruses types 1 and 2", <i>J. Gen. Virol.</i> , 72:3057-3075 (1991).
	C64	Meignier <i>et al.</i> , "Construction and In Vivo Evaluation of Two Genetically Engineered Prototypes of Live Attenuated Herpes Simplex Virus Vaccines", <i>Vaccines</i> , 87, Cold Spring Harbor Laboratory, pp. 368-373 (1987).
	C65	Meignier <i>et al.</i> , "In Vivo Behavior of Genetically Engineered Herpes Simplex Viruses R7017 and R7020. II. Studies in Immunocompetent and Immunosuppressed Owl Monkeys ( <i>Aotus trivirgatus</i> )," <i>J. Infectious Diseases</i> , 162:313-321 (1990).
	C66	Meignier <i>et al.</i> , "In Vivo Behavior of Genetically Engineered Herpes Simplex Viruses R7017 and R7020: Construction and Evaluation in Rodents", <i>J. Infectious Diseases</i> , 158: 602-614 (1988).
	C67	Meignier <i>et al.</i> , "Virulence of and Establishment of Latency by Genetically Engineered Deletion Mutants of Herpes Simplex Virus 1", <i>Virology</i> , 162:251-254 (1988).
	C68	Mineta <i>et al.</i> , "Treatment of Malignant Gliomas Using Ganciclovir-hypersensitive, Ribonucleotide Reductase-deficient Herpes Simplex Viral Mutant," <i>Cancer Research</i> , 54: 3963-3966 (1994).
	C69	Mocarski <i>et al.</i> , "Site-specific inversion sequence of the herpes simplex virus genome: Domain and structural features", <i>Proc. Natl. Acad. Sci., USA</i> , 78:7047-7051 (1981).
	C70	Mocarski <i>et al.</i> , "Structure and Role of the Herpes Simplex Virus DNA Termini in Inversion, Circularization and Generation of Virion DNA", <i>Cell</i> , 31:89-97 (1982).
	C71	Moriuchi <i>et al.</i> , "Enhanced Tumor Cell Killing in the Presence of Ganciclovir by Herpes Simplex Virus Type 1 Vector-directed Coexpression of Human Tumor Necrosis Factor- $\alpha$ and Herpes Simplex Virus Thymidine Kinase," <i>Cancer Research</i> , 58:5731-5737 (1998).

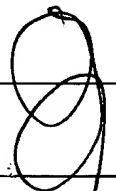

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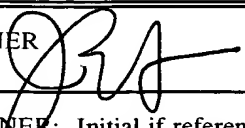


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	C72	Morris Academic Press Dictionary of Science technology Academic Press Harcourt Brace Jovanich Publishers, pp. 917 and 2276 (1992).
	C73	Morse <i>et al.</i> , "Anatomy of Herpes Simplex Virus (HSV) DNA", <i>J. Virol.</i> , 26(2):389-410 (1978).
	C74	Mulligan, R.C., "The Basic Science of Gene Therapy", <i>Science</i> , 260:926-930 (May, 1993).
	C75	Nagata <i>et al.</i> , "The Fas Death Factor," <i>Science</i> , 267:1449-1456 (1995).
	C76	Orkin <i>et al.</i> , "Report and Recommendations of the Panel to Assess the NIH Investment in Research on Gene Therapy" (December, 1995).
	C77	Peppel <i>et al.</i> , "A Simple and Fast Method to Extract RNA from Tissue Culture Cells," <i>BioTechniques</i> , 9(6):711-712 (1990).
	C78	Perry <i>et al.</i> , "Characterization of the IE110 Gene of Herpes Simplex Virus Type 1", <i>J. Gen. Virol.</i> , 67:2365-2380 (1986).
	C79	Perry <i>et al.</i> , "The DNA Sequences of the Long Repeat Region and Adjoining Parts of the Long Unique Region in the Genome of Herpes Simplex Virus Type 1," <i>J. Gen. Virol.</i> , 69:2831-2846 (1988).
	C80	Poffenberger <i>et al.</i> , "A Noninverting Genome of a Viable Herpes Simplex Virus 1: Presence of Head-to-Tail Linkages in Packaged Genomes and Requirements for Circularization After Infection", <i>J. Virol.</i> , 53(2):587-595 (1985).
	C81	Poffenberger <i>et al.</i> , "Characterization of a viable, noninverting herpes simplex virus 1 genome derived by insertion and deletion of sequences at the junction of components L and S", <i>Proc. Natl. Acad. Sci., USA</i> , 80:2690-2694 (1983).
	C82	Post <i>et al.</i> , "A Generalized Technique for Deletion of Specific Genes in Large Genomes: $\alpha$ -Gene 22 of Herpes-simplex-Virus 1 is Not Essential for Growth", <i>Cell</i> , 25:227-232 (1981).
	C83	Post <i>et al.</i> , "Cloning of reiterated and nonreiterated herpes simplex virus 1 sequences as <i>Bam</i> HI fragments", <i>Proc. Natl. Acad. Sci., USA</i> , 77(7):4201-4205 (1980).

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Group

1633

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

C84	Ram <i>et al.</i> , "Therapy of malignant brain tumors by intratumoral implantation of retroviral vector-producing cells," <i>Nature Medicine</i> , 3(12):1354-1361 (1997).
C85	Rawson <i>et al.</i> , "Death of Serum-free Mouse Embryo Cells Caused by Epidermal Growth Factor Deprivation," <i>J. Cell Biology</i> , 113:671-679 (1991).
C86	Renfranz <i>et al.</i> , "Region-Specific Differentiation of the Hippocampal Stem Cell Line HiB5 upon implantation into the Developing Mammalian Brain," <i>Cell</i> , 66:713-729 (1991).
C87	Roizman, B., in <i>Virology, Second Edition</i> , Field <i>et al.</i> (Eds.) Chapter 64, Raven Press Ltd., New York (1990).
C88	Roizman, B., in <i>Fundamental Virology, Second Edition</i> , Field <i>et al.</i> (Eds.) Chapters 5 and 33-34, Raven Press Ltd., New York (1991).
C89	Roizman <i>et al.</i> , "The function of herpes simplex virus genes: A primer for genetic engineering of novel vectors," <i>Proc Natl. Acad. Sci. (USA)</i> 93:11307-11312 (1996).
C90	Roller <i>et al.</i> , "Herpes Simplex Virus 1 RNA-Binding Protein U <sub>s</sub> 11 Negatively Regulates the Accumulation of a Truncated Viral mRNA," <i>J. Virology</i> , 65(11):5873-5879 (1991).
C91	Ryder <i>et al.</i> , "Establishment and Characterization of Multipotent Neural Cell Lines Using Retrovirus Vector-Mediated Oncogene Transfer", <i>J. Neurobiol.</i> , 21:356-375 (1990).
C92	Sanger <i>et al.</i> , "DNA sequencing with chain-terminating inhibitors", <i>Proc. Natl. Acad. Sci., USA</i> , 74:5463-5467 (1977).
C93	Sentman <i>et al.</i> , "bcl-2 Inhibits Multiple Forms of Apoptosis but Not Negative Selection in Thymocytes," <i>Cell</i> , 67:879-888 (1991).
C94	Sheldrick <i>et al.</i> , "Inverted Repetitions in the Chromosome of Herpes Simplex Virus", <i>Cold Spring Harbor Symp. Quant. Biol.</i> , 39:667-678 (1975).
C95	Shih <i>et al.</i> , "Expression of hepatitis B virus S gene by herpes simplex virus type 1 vectors carrying $\alpha$ - and $\beta$ -regulated gene chimeras," <i>Proc. Natl. Acad. Sci. (USA)</i> 81:5867-5870 (1984).

EXAMINER

DATE CONSIDERED

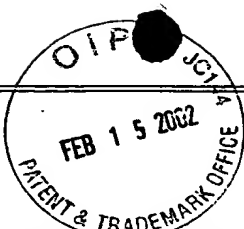
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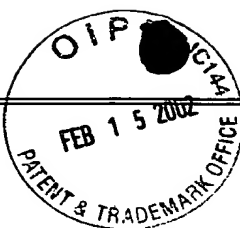
C96	Snyder <i>et al.</i> , "Mulipotent Neural Cell Lines Can Engraft and Participate in Development of Mouse Cerebellum," <i>Cell</i> , 68:33-51 (1992).
C97	Steller, H., "Mechanisms and Genes of Cellular Suicide," <i>Science</i> , 267:1445-1449 (1995).
C98	Stevens <i>et al.</i> , "Restriction of Herpes Simplex Virus By Macrophages", <i>J. Exp. Medicine</i> , 133:19-38 (1971).
C99	Strasser <i>et al.</i> , "bcl-2 Transgene Inhibits T Cell Death and Perturbs Thymic Self-Censorship," <i>Cell</i> , 67:889-899 (1991).
C100	Taha <i>et al.</i> , "A Variant of Herpes Simplex Virus Type 2 Strain HG52 with a 1.5 kb Deletion in R <sub>L</sub> between 0 to 0.02 and 0.81 to 0.83 Map Units Is Non-neurovirulent for Mice", <i>J. Gen. Virol.</i> , 70:705-716 (1989).
C101	Taha <i>et al.</i> , "The Herpes Simplex Virus Type 2 (HG52) Variant JH2604 Has a 1488 bp Deletion which Eliminates Neurovirulence in Mice", <i>Journal of General Virology</i> , 70(11):3073-3078 (1989).
C102	Thompson <i>et al.</i> , "Biological Characterization of a Herpes Simplex Virus Intertypic Recombinant Which Is Completely and Specifically Non-Neurovirulent", <i>Virology</i> , 131:171-179 (1983).
C103	Thompson <i>et al.</i> , "Physical Location of a Herpes Simplex Virus Type-1 Gene Function(s) Specifically Associated with a 10 Million-Fold Increase in HSV Neurovirulence", <i>Virology</i> , 131:180-192 (1983).
C104	Thompson <i>et al.</i> , "Rescue of a Herpes Simplex Virus Type 1 Neurovirulence Function with a Cloned DNA Fragment", <i>J. Virology</i> , 35(2):504-508 (1985).
C105	Thompson <i>et al.</i> , "Vaccine potential of a live avirulent herpes simplex virus," <i>Microbial Pathogenesis</i> , 1:409-416 (August, 1986).
C106	Thompson <i>et al.</i> , "Functional and Molecular Analyses of the Avirulent Wild-Type Herpes Simplex Virus Type 1 Strain KOS, <i>J. Virology</i> , 58(1):203-211 (1986).

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DATE CONSIDERED

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## INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	C107	Thompson <i>et al.</i> , "Herpes Simplex Virus Neurovirulence and Productive Infection of Neural Cells Is Associated with a Function Which Maps between 0.82 and 0.832 Map Units on the HSV Genome," <i>Virology</i> , 172(2):435-450 (1989).
	C108	Varmuza <i>et al.</i> , "Signals for Site-Specific Cleavage of HSV DNA: Maturation Involves Two Separate Cleavage Events at Sites Distal to the Recognition Sequences", <i>Cell</i> , 41:793-802 (1985).
	C109	Vlazny <i>et al.</i> , "Site-specific cleavage/packaging of herpes simplex virus DNA and the selective maturation of nucleocapsids containing full-length viral DNA", <i>Proc. Natl. Acad. Sci., USA</i> , 79:1423-1427 (1982).
	C110	Wadsworth <i>et al.</i> , "Anatomy of Herpes Simplex Virus DNA", <i>J. Virol.</i> , 15(6):1487-1497 (1975).
	C111	Warren <i>et al.</i> , "Isolation of Latent Herpes Simplex Virus from the Superior Cervical and Vagus Ganglions of Human Beings," <i>New England Journal Medicine</i> , 298:1068-1070 (1978).
	C112	Whitley, R.J. <i>et al.</i> , "Replication, Establishment of Latency, and Induced Reactivation of Herpes Simplex Virus $\gamma_1$ 34.5 Deletion Mutants in Rodent Models," <i>J. Clin. Invest.</i> , 91:2387-2843 (June, 1993).
	C113	Whitley, "Herpes Simplex Viruses", pp. 1843-1887 in <i>Virology</i> , Second Ed., Chapter 66 Fields <i>et al.</i> , (eds.), Raven Press, New York (1990).
	C114	Williams, G.T., "Programmed Cell Death: Apoptosis and Oncogenesis," <i>Cell</i> , 65:1097-1098 (June, 1991).
	C115	Advani, et al., "Replication-competent, Nonneuroinvasive Genetically Engineered Herpes Virus Is Highly Effective in the Treatment of Therapy-resistant Experimental Human Tumors <sup>1</sup> ," <i>Cancer Research</i> 59:2055-2058 (1999)
	C116	Carpenter, et al., "Sequences of the bovine herpesvirus 1 homologue of herpes simplex virus type-1 $\alpha$ -trans-inducing factor (UL48)," <i>GENE</i> 119:259-263 (1992)
	C117	Biosis Accession No. XP002141884

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